

device feature, to attach a voice signal to the process control device or to provide process information generated by one or more of the plurality of process control devices during operation of the process to a user of the wearable computer.

Fan does not disclose or suggest a system adapted for use in a process control system including a plurality of process controller devices that is adapted to identify a process control device based on a device feature, to attach a voice signal to the process control device or to provide information generated by one or more of the plurality of process control devices. While Fan discloses a wearable computer system containing sensors built on the wearable computer that allows a user to sense various characteristics of the environment such as temperature surrounding such a wearable computer, the wearable computer system of Fan does not allow a user to provide process information generated by one or more of the process control devices external to the wearable computer. Therefore, claims 1, 13, 24 and 60 are not anticipated by Fan.

Moreover, Fan does not provide any indication that the system it discloses can be or should be modified to provide information generated by one or more process control devices external to the wearable computer. Furthermore, compared to the systems recited in claims 13 and 24 that allow a user to identify a process control device based on a device feature, the system disclosed in Fan does not allow a user to take images of process control devices or to process an image signal. Therefore, there is no incentive to modify the system disclosed in Fan to identify a process control device based on a device feature. It is clear that the prior art must teach or suggest each of the claim elements and must additionally provide a suggestion of, or an incentive for, the claimed combination of elements to establish a *prima facie* case of obviousness. See *In re Oetiker*, 24 U.S.P.Q.2d 1443, 1446 (Fed. Cir. 1992); *Ex parte Clapp*, 227 U.S.P.Q. 972, 973 (Bd. Pat. App. 1985); *In re Royka*, 490 F.2d 981 (CCPA 1974) and M.P.E.P. § 2143. Because Fan does not disclose or suggest identifying a process control device based on a device feature, it follows that Fan cannot render pending claims 1, 13, 24 and 60 obvious.

#### **Claims 38 and 46 and their dependent claims are allowable over the cited art**

Claims 38 and 46 recite either a wearable computer system or a process control testing unit for use in a process control system that communicates with a wearable computer system, where the wearable computer system includes a processing unit, a computer readable memory, an input device adapted to produce an input signal, a remote communication device

to communicate with the process control system and a software routine run on the processing unit. The software routine recited by these claims processes an input signal, such as a voice signal, a keyboard signal, etc., to develop a change signal indicating a change to be made in the process, such as a temperature, a pressure, etc., and communicates the change signal to the process control system to thereby cause the change to be made to the process signal.

The wearable computer system disclosed in Fan does not provide any information about a process signal generated by a process control device external to the wearable computer where such a process signal indicates a characteristics of a process during normal operation of the process. Therefore, the system disclosed in Fan does not and cannot communicate any change signal to a network to cause a change to be made in a process signal where such a process signal indicates a characteristics of a process during normal operation of the process, the way the system recited in claim 38 and 46 can cause a change to be made to such a process signal. Therefore, claims 38 and 46 are not anticipated by Fan.

Moreover, because Fan does not provide any indication that the system it discloses can be or should be modified to make it capable of providing any information about a process signal generated by a process control device external to the wearable computer where such a process signal indicates a characteristics of a process during normal operation of the process, much less of communicating a change signal to a network to cause a change to be made in a process signal where such a process signal indicates a characteristic of a process during normal operation of the process, it follows that Fan cannot render pending claims 1, 13, 24 and 60 obvious. See *In re Oetiker*, 24 U.S.P.Q.2d at 1446; *Ex parte Clapp*, 227 U.S.P.Q. at 973; *In re Royka*, 490 F.2d 981 and M.P.E.P. § 2143.

**Claim 55 and its dependent claims are allowable over the cited art**

Claim 55 recites an image viewing unit for use in a process control system including a first software routine capable of receiving an image, such as an image captured by a video camera, enabling an operator to make changes to the image, such as to highlight or mark an area of the image, and sending the image with the changes to a wearable computer. The image viewing unit recited in claim 55 also includes a second software routine capable of sending an image to an operator workstation, receiving another image from the operator workstation, and displaying the image received from the operator workstation on the image viewing unit. Together, these software routines allow a user of this system to communicate back-and-forth with an operator of a process control system using images of various devices

within the process control system. This feature makes it easier for a user to work interactively with the operator.

Because the system disclosed in Fan does not allow a user to capture or process an image, it cannot be modified to allow a user to make graphical changes to such an image, such as to highlight or mark an area of the image, the way the system recited in claim 55 allows a user to make changes to the image. Therefore, claim 55 is not anticipated by Fan.

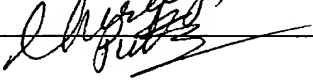
Moreover, because Fan does not provide any indication that the system it discloses can be or should be modified to make it capable of capturing or processing an image, much less of enabling an operator to make changes to an image, such as to highlight or mark an area of the image, it follows that Fan cannot render pending claims 1, 13, 24 and 60 obvious. *See In re Oetiker*, 24 U.S.P.Q.2d at 1446; *Ex parte Clapp*, 227 U.S.P.Q. at 973; *In re Royka*, 490 F.2d 981 and M.P.E.P. § 2143.

#### **Conclusion**

In view of the foregoing, it is respectfully submitted that the above application is in condition for allowance. If there is any matter that the examiner would like to discuss, he is invited to contact the undersigned representative at the telephone number set forth below.

Respectfully submitted,  
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